

JUN 28 2007Serial No.: 10/619,225
Attorney Docket No.: 200308682-1**REMARKS**

In response to the Office Action dated March 29, 2007, claims 1, 9, 12, 22, 23 and 31 have been amended. Claims 1-34 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 9 and 31 under 35 U.S.C. § 112, second paragraph, as allegedly failing being indefinite.

In response, the Applicants have amended claims 9 and 31 as suggested by the Examiner to overcome this rejection.

The Office Action rejected claims 1-4, 8-14, 16-18, 26, 29-31 and 33 under 35 U.S.C. § 102(a) as allegedly being anticipated by Cheatle et al. (U.S. Patent Publication No. 2002/0140988). The Office Action rejected claims 5-7, 15, 19, 20-27, 28 and 32 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cheatle et al. in view of Bollman et al. (U.S. Patent No. 5,978,519).

The Applicant respectfully traverses these rejections based on the amendments to the claims and the arguments below.

Namely, the independent claims now include features that are not disclosed by the cited references. For instance, the Applicants' claims now include prominently displaying in a physical setting a unique human-recognizable logo having sets of coordinated color-sets for the logo, including a border and a background, tracking legal ownership of the unique human-recognizable logo by registering the unique human-recognizable logo with an official agency and digitally capturing an electronic image of the unique human-recognizable logo as a graphic symbol in the physical setting.

Support for these amendments can be found throughout the specification and at least in FIGS. 1 and 3-6 and paragraphs [0021] and [0028] of the Applicants' specification.

In contrast, with regard to the anticipation rejection of claims 1-4, 8-14, 16-18, 26, 29-31 and 33, Cheatle et al. merely disclose taking an electronic image of a scene with a barcode in the background of the scene and recognizing and reading the barcode by the camera taking the picture for future linking of information using the barcode (see Abstract, FIGS. 1-2 and paragraphs [0001] – [0004] and [0054] of Cheatle et al.). Although Cheatle et al. disclose an image signal together with a link information signal to provide associated additional link information (see paragraph [0001] of Cheatle et al.), unlike the Applicants' claimed invention, clearly, Cheatle et al. do not disclose the Applicants' prominently displaying in a physical setting a unique human-recognizable logo having sets of coordinated color-sets for the logo, including a border and a background and tracking legal ownership of the unique human-recognizable logo by registering the unique human-recognizable logo with an official agency.

As such, since Cheatle et al. do not disclose all of the elements of the claimed invention, Cheatle et al. cannot anticipate the claims. Hence, the Applicants respectfully submit that the rejection under 35 U.S.C. 102 should be withdrawn.

With regard to the obviousness rejection of claims 5-7, 15, 19, 20-27, 28 and 32, when the barcode system of Cheatle et al. is combined with Bollman et al. (Bollman et al. simply adds a method for automatic image cropping), the combined references are still missing the Applicants' above argued newly amended features. Therefore, the combined references do not disclose, teach or suggest all of the Applicants' claimed features.

Hence, since the combined references are missing features of the Applicants' claimed invention, the combined references cannot render the Applicants' invention obvious. This failure of the cited reference to disclose, suggest or provide motivation for the Applicants' claimed invention indicates a lack of a prima facie case of obviousness and, thus, the obviousness rejection should be withdrawn (MPEP 2143).

Last, with regard to the dependent claims, since they depend from the above-argued respective independent claims, they are therefore patentable on the same basis. (MPEP § 2143.03).

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Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicant kindly requests the Examiner to telephone the Applicant's attorney at (818) 885-1575.

Please note that all mail correspondence should continue to be directed to

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Respectfully submitted,
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